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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

CASE NO. 3:17-cv-00939-WHA

13 Plaintiff,

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS
SUPPLEMENTAL BRIEF IN SUPPORT
OF ITS MOTION FOR ORDER TO
SHOW CAUSE WHY DEFENDANTS
SHOULD NOT BE HELD IN CONTEMPT
OF THE PRELIMINARY INJUNCTION
ORDER (Dkt. 426) AND EXPEDITED
DISCOVERY ORDER (Dkt. 61)**

14 vs.

15 UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
16 LLC,

17 Defendants.

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I, Lindsay Cooper, declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to
 2 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
 3 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
 4 forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Waymo’s Administrative Motion to File Under
 3 Seal (“Waymo’s Administrative Motion”) confidential information in its Supplemental Brief in
 4 Support of its Motion for Order to Show Cause. Waymo’s Administrative Motion seeks an order
 5 sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Waymo’s Supplemental Brief in Support of its Motion for Order to Show Cause (“Waymo’s Brief”)	Highlighted in blue	Defendants
	Highlighted in yellow	Anthony Levandowski; other third-parties
Exhibit 1 to Waymo’s Brief	Entire document	Anthony Levandowski
Exhibit 2 to Waymo’s Brief	Entire document	Defendants
Exhibit 3 to Waymo’s Brief	Entire document	Defendants
Exhibit 4 to Waymo’s Brief	Highlighted in orange	Anthony Levandowski; other third-parties
	Highlighted in red	Waymo
Exhibit 5 to Waymo’s Brief	Entire document	Defendants
Exhibit 6 to Waymo’s Brief	Entire document	Defendants; other third- parties
Exhibit 7 to Waymo’s Brief	Entire document	Other third-parties
Exhibit 8 to Waymo’s Brief	Entire document	Anthony Levandowski; other third-parties
Exhibit 9 to Waymo’s Brief	Highlighted in yellow	Defendants
Exhibit 10 to Waymo’s Brief	Entire document	Other third-parties
Exhibit 11 to Waymo’s Brief	Entire document	Other third-parties
Exhibit 12 to Waymo’s Brief	Entire document	Other third-parties
Exhibit 13 to Waymo’s Brief	Entire document	Defendants
Exhibit 14 to Waymo’s Brief	Entire document	Defendants
Exhibit 15 to Waymo’s Brief	Entire document	Defendants
Exhibit 16 to Waymo’s Brief	Entire document	Defendants
Exhibit 17 to Waymo’s Brief	Entire document	Defendants
Exhibit 18 to Waymo’s Brief	Entire document	Defendants
Exhibit 19 to Waymo’s Brief	Highlighted in red	Waymo
Exhibit 24 to Waymo’s Brief	Entire document	Defendants
Exhibit 25 to Waymo’s Brief	Entire document	Defendants
Proposed Jury Instruction	Highlighted in yellow	Anthony Levandowski

3. Waymo's Motion and exhibits contain information that Defendants and/or non-party Mr. Levandowski and/or other third-parties have designated as confidential and/or highly confidential.

3 4. Portions of Waymo’s exhibits also contain or refer to Waymo’s trade secrets. These
4 portions (highlighted in red), which Waymo seeks to seal, contain, reference, and/or describe
5 Waymo’s asserted trade secrets. Specifically, both Exhibit No. 4 and Exhibit No. 19 describe technical
6 design specifications of Waymo’s trade secrets I understand that these trade secrets are maintained as
7 secret by Waymo (Dkt. 25-47) and are valuable as trade secrets to Waymo’s business (Dkt. 25-31).
8 The public disclosure of this information would give Waymo’s competitors access to in-depth
9 descriptions—and analysis—of the functionality of Waymo’s autonomous vehicle system. If such
10 information were made public, I understand that Waymo’s competitive standing would be
11 significantly harmed. Waymo’s request to seal is narrowly tailored to only the confidential
12 information.

13 5. Waymo takes no position on the merits of sealing the designated material, and expects
14 Defendants and/or Mr. Levandowski and/or other third-parties to file one or more declarations in
15 accordance with the Local Rules.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on September 10, 2017.

By /s/ Lindsay Cooper
Lindsay Cooper
Attorneys for WAYMO LLC

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven
Charles K. Verhoeven